

STATEMENT OF PURPOSE

RS20821

Currently, Section 54-2601, Idaho Code, adopts the Uniform Plumbing Code (UPC) as the standard to which all plumbing installations administered and enforced by the Division of Building Safety and cities must be installed. The UPC has been the legislative code of choice since 1975. This statute also currently allows cities to adopt a plumbing enforcement program as long as a city ordinance prescribes the equal minimum standards. In recent years, there has developed some question as to the applicability of more than one plumbing code in city jurisdictions and whether such are considered the equal minimum standards. This has made it more expensive as well as more difficult for plumbers to conform to the code and operate with consistency. It has also made it more difficult for plumbing officials to determine exactly which standards to apply. The Idaho Plumbing Board, in agreement with representatives from city jurisdictions, would clarify that the Uniform Plumbing Code, along with amendments and reference material to collectively constitute the Idaho State Plumbing Code (ISPC), would serve as the uniform standard for all plumbing installations throughout all jurisdictions in the state. Such amendments to the code would be made by the Board through the negotiated rulemaking process. However, cities would still retain authority to administer a plumbing enforcement program and the ability to further amend the code to meet local needs through an amendment process requiring notice and a public hearing. The body of the UPC (and appendices) would stay intact thus remaining a nationally recognized model plumbing standard for use by all jurisdictions in Idaho. Amendments to it by the Board would be accomplished in the form of administrative rules as they have always been.

FISCAL NOTE

The fiscal impact to the Division should initially be slightly negative due to the purchase of new code books for its inspectors. In the longer term, the fiscal impact is expected to be positive. Only minimal training will be required to familiarize DBS inspectors with the updated UPC edition and this would be accomplished within the Division itself. The publisher has also agreed to make the entire code available to the public (including the Division and cities) electronically at no charge and directly accessible via the DBS website. No new plumbing code has been adopted since the 2003 UPC, and some expenses are necessarily involved in such adoption process; however, the Board has not identified any increased expenses as a result of establishing the ISPC. The fiscal impact on cities who administer a program as well as the plumbing industry is anticipated to be substantially similar to that of the Division as described above, and not expected to require significant additional training or education. The enforcement of one state-wide code would eliminate the need to purchase multiple code books, and the inclusion of plumbing statutes and IDAPA rules into the code book itself should also save the industry time and expense.

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